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## DECLARATION

As a below-named inventor, I(we) hereby declare that:

### TYPE OF DECLARATION

This declaration is of the following type:

- ☐ original
- ☐ design
- ☐ supplemental
- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☒ continuation-in-part (CIP)

### INVENTORSHIP DECLARATION

My residence, post office address, and citizenship are as stated below next to my name;

I verily believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### IMPROVED LONGITUDINALLY FLEXIBLE EXPANDABLE STENT

the specification of which:

- a) ☒ is being filed concurrently herewith
- b) ☐ was filed on \_\_\_\_\_ and assigned Serial No. \_\_\_\_\_
- c) ☐ was filed as PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and amended under PCT Article 19 on \_\_\_\_\_

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56 including information occurring between the filing date of any prior application of which the present application is a continuation-in-part.

- ☐ In compliance with this duty there is attached an Information Disclosure Statement.  
37 CFR 1.97.

### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate or of any PCT international applications(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international applications(s) designating at least one country other than the United States of America filed by me having the same subject matter having a filing date before that of the application on which priority is claimed.

- a) ☒ no such applications have been filed.  
b) ☐ such applications have been filed as follows:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code, §119(e) of any United States provisional application identified below.

- a) ☒ no such applications have been filed.  
b) ☐ such applications have been filed as follows:

U.S. APPLICATIONS	
APPLICATION NUMBER	U.S. FILING DATE
1.	
2.	

#### CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS(S) UNDER 35 U.S.C. §120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international applications(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior applications(s) and the national or PCT international filing date of this application.

- a) ☐ no such applications have been filed.  
b) ☒ such applications have been filed as follows:

U.S. APPLICATIONS	
APPLICATION NUMBER	U.S. FILING DATE
1. 08/511,076	AUGUST 3, 1995
2.	
PCT APPLICATIONS DESIGNATING THE U.S.	
PCT APPLICATION NO.	PCT FILING DATE
3.	

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Telephone calls and correspondence should be directed to: Jonathan Grad, VIDAS, ARRETT & STEINKRAUS, P.A., Suite 2000, 6109 Blue Circle Drive, Minnetonka, MN 55343-9131, Telephone: (612) 563-3000, Facsimile: (612) 563-3001.

**First Inventor**

Full name: Brian J. Brown  
Inventor's signature: [Signature]  
Date: Nov 18, 98  
Citizenship: United States of America  
Post office Address: 178 Jandel Avenue  
Hanover, MN 55341

Residence:  
(If different than above)

**Third Inventor**

Full name: David Friesen  
Inventor's signature: [Signature]  
Date: Nov 18, 98  
Citizenship: United States of America  
Post office Address: 8149 Sierra Parkway  
Brooklyn Park, MN 55444

Residence:  
(If different than above)

**Fifth Inventor**

Full name: Sean P. Skubitz  
Inventor's signature: [Signature]  
Date: Nov 18, 1998  
Citizenship: United States of America  
Post office Address: 1024 Island Lake Avenue  
Shoreview, MN 55126

Residence:  
(If different than above)

**Second Inventor**

Full name: Michael Davis  
Inventor's signature: [Signature]  
Date: Nov 18, 98  
Citizenship: United States of America  
Post office Address: 22020 Stratford Place  
Shorewood, MN 55311

Residence:  
(If different than above)

**Fourth Inventor**

Full name: Timothy J. Ley  
Inventor's signature: [Signature]  
Date: Nov 19, 1998  
Citizenship: United States of America  
Post office Address: 668 Highway 96 West  
Shoreview, MN 55126-1905

Residence:  
(If different than above)

**Sixth Inventor**

Full name:  
Inventor's signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Citizenship:  
Post office Address:

Residence:  
(If different than above)



PTAS

[illegible]

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ENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

RECORDATION DATE: 11/20/1998

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

DOC DATE: 11/18/1998

DOC DATE: 11/18/1998

DOC DATE: 11/18/1998

DOC DATE: 11/19/1998

DOC DATE: 11/18/1998

ASSIGNEE:  
SCIMED LIFE SYSTEMS, INC.  
ONE SCIMED PLACE  
MAPLE GROVE, MINNESOTA 55311-1566

162052

9603/0249 PAGE 2

SERIAL NUMBER: 09197278  
PATENT NUMBER:

FILING DATE: 11/20/1998  
ISSUE DATE:

SHARMALLA SIMPSON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

12-01-1998



100911811

U.S. PTO  
11/20/98

11/20/98

Form PTO-1595  
1-31-92

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

RECORDATION FORM COVER SHEET  
PATENTS ONLY

*M.R.D. 11-20-98*

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Brian J. Brown; Michael Davis; David Friesen;  
Timothy J. Ley; Sean P. Skubitz

2. Name and address of receiving party(ies):  
Name: **SCIMED LIFE SYSTEMS, INC.**

Internal Address:

Additional name(s) of conveying party(ies)  
attached? ☐ Yes ☒ No

Street Address: **One SciMed Place**

3. Nature of Conveyance:  
☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

City: **Maple Grove** State: **MN** Zip: **55311-1566**

Execution Date: 11/18/98, 11/18/98, 11/18/98,  
11/19/98 and 11/18/98 respectively

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed with a new application, the execution date of the application is: 11/18/98 and 11/19/98

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom  
correspondence concerning document should be  
mailed:

6. Total number of applications and patents involved: 1

**Jonathan Grad**  
**Vidas, Arrett & Steinkraus, P.A.**  
**Suite 2000, 6109 Blue Circle Drive**  
**Minnetonka, MN 55343-9131**

7. Total fee (37 CFR 3.41): **\$40.00**

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit Account Number: **22-0350**

(Attach duplicate of this page if paying by deposit account)

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Jonathan Grad

Signature

20 November 1998

Date

Total number of pages including cover sheet, attachments, and document: 2

OMB No. 0651-011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

12/01/1998 DNGUYEN 00000035 09197278

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UTILITY/DESIGN PATENT

Docket No. S63.2-6769

ASSIGNMENT

WHEREAS, I(we), Brian J. Brown; Michael Davis; David Friesen; Timothy J. Ley; Sean P. Skubitz  
residing at 178 Jandel Avenue, Hanover, MN 55341; 22020 Stratford Place, Shorewood, MN 55311; 8149  
Sierra Parkway, Brooklyn Park, MN 55444; 668 Highway 96 West, Shoreview, MN 55126-1905; 1024 Island  
Lake Avenue, Shoreview, MN 55126  
have invented and own the entire United States right, title and interest in an invention for:

IMPROVED LONGITUDINALLY FLEXIBLE EXPANDABLE STENT

disclosed in my application for United States Letter Patent filed:

- ☒ concurrently herewith  
☐ on \_\_\_\_\_ and assigned Serial No. \_\_\_\_\_; and

I hereby authorize and request any attorney of Vidas, Arrett & Steinkraus, P.A., Suite 2000,  
6109 Blue Circle Drive, Minnetonka, MN 55343-9131, to insert the filing date and application number of said  
application above when known.

WHEREAS, SCIMED LIFE SYSTEMS, INC. ("Assignee"), a corporation organized and  
existing under and by virtue of the laws of the State of MINNESOTA, and having its principal place of  
business at One SciMed Place, Maple Grove, MN 55311-1566, is desirous of acquiring the entire right, title,  
and interest in and to said invention, to said application for any and all countries, to any and all Letters Patent,  
and to any and all Design Letters Patent of any and all countries which may be granted thereon;

NOW, THEREFORE, Be It Known that for good and valuable consideration, the receipt of all  
of which is hereby acknowledged, I(we) hereby sell, assign, and transfer unto Assignee, its successors, and  
assigns, the entire right, title and interest, legal and equitable, in and to said invention, to said application for  
any and all countries, to any and all Letters Patent, and to any and all Design Letters Patent of any and all  
countries which may be granted thereon; and the Commissioner of Patents and Trademarks is hereby authorized  
and requested to issue all Letters Patent and all Design Letters Patent which may be granted to said invention to  
Assignee.

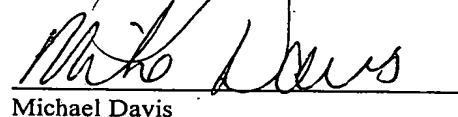
Dated: Nov 18, 98

First Inventor's Signature:  
First Inventor's Name:

  
Brian J. Brown

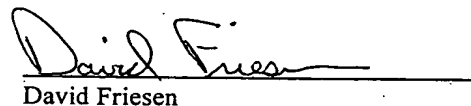
Dated: Nov 18, 98

Second Inventor's Signature:  
Second Inventor's Name:

  
Michael Davis

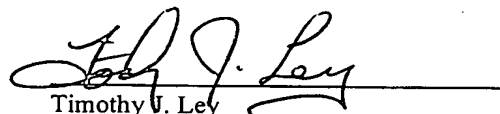
Dated: Nov 18, 98

Third Inventor's Signature:  
Third Inventor's Name:

  
David Friesen

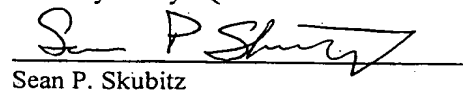
Dated: Nov 19, 98

Fourth Inventor's Signature:  
Fourth Inventor's Name:

  
Timothy J. Ley

Dated: Nov 18, 1998

Fourth Inventor's Signature:  
Fourth Inventor's Name:

  
Sean P. Skubitz



UTILITY/DESIGN PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Brian J. Brown et al
Title:	IMPROVED LONGITUDINALLY FLEXIBLE EXPANDABLE STENT
Filed:	<input checked="" type="checkbox"/> concurrently herewith <input type="checkbox"/> on _____ and assigned Serial No. _____

Assistant Commissioner for Patents  
Washington, DC 20231

Docket No: S63.2-6769

POWER OF ATTORNEY FROM ASSIGNEE

As assignee of record of the entire interest of the above identified patent application,  
**SCIMED LIFE SYSTEMS, INC.** hereby appoints the following attorneys to prosecute this application and to  
transact all business in the Patent and Trademark Office connected therewith:

Jonathan Grad	Reg. No. 41,795
Oliver F. Arrett	Reg. No. 22,117
Scott Q. Vidas	Reg. No. 30,812
Walter J. Steinkraus	Reg. No. 29,592
Richard A. Arrett	Reg. No. 33,153
Robert O. Vidas	Reg. No. 20,164
Leoniede M. Brennan	Reg. No. 35,832
Jane H. Arrett	Reg. No. 33,355
William E. Anderson, II	Reg. No. 37,766

all of Vidas, Arrett & Steinkraus, P.A., Suite 2000, 6109 Blue Circle Drive, Minnetonka, MN 55343-9131,  
Telephone: (612) 563-3000, Facsimile: (612) 563-3001, and hereby authorizes them to act and rely on  
instructions from, and to communicate directly with, the firm or person which sent this case to Vidas, Arrett &  
Steinkraus, P.A., unless or until it instructs Vidas, Arrett & Steinkraus P.A., in writing to the contrary.

Dated this 19<sup>th</sup> day of November, 1998.

(Company Name)

SCIMED LIFE SYSTEMS, INC.

(Signature)

By: 

(typed name)

Luke Dohmen

(title)

Its:

Senior Patent Counsel

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re Application of:</b>	<b>Brian J. Brown, Michael Davis, David Friesen, Timothy J. Ley and Sean Skubitz</b>
<b>Application No.:</b>	<b>Not Assigned</b>
<b>Filed:</b>	<b>Not Assigned</b>
<b>For:</b>	<b>Improved Longitudinally Flexible Expandable Stent</b>
<b>Group Art Unit:</b>	<b>Not Assigned</b>

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Docket No.: S63.2B-6769-US05**

**ASSIGNEE'S STATEMENT OF OWNERSHIP 37 CFR 3.73(B)**

**Scimed Life Systems, Inc.**, is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

A. ☒ An assignment from the inventor(s) of the patent application identified above. A photocopy of the Assignment is enclosed. The original Assignment is being mailed to Assignment Branch for recording.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From : \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From : \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

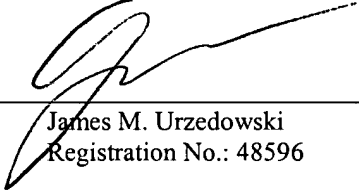
The undersigned is empowered to sign this statement of ownership certificate on behalf of the assignee.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March 15, 2004

By: \_\_\_\_\_

  
James M. Urzedowski  
Registration No.: 48596

6109 Blue Circle Drive, Suite 2000  
Minnetonka, MN 55343-9185  
Telephone: (952) 563-3000  
Facsimile: (952) 563-3001

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## UTILITY/DESIGN PATENT

Docket No. S63.2-6769

## ASSIGNMENT

WHEREAS, I(we), Brian J. Brown; Michael Davis; David Friesen; Timothy J. Ley; Sean P. Skubitz  
residing at 178 Jandel Avenue, Hanover, MN 55341; 22020 Stratford Place, Shorewood, MN 55311; 8149  
Sierra Parkway, Brooklyn Park, MN 55444; 668 Highway 96 West, Shoreview, MN 55126-1905; 1024 Island  
Lake Avenue, Shoreview, MN 55126  
have invented and own the entire United States right, title and interest in an invention for:

## IMPROVED LONGITUDINALLY FLEXIBLE EXPANDABLE STENT

disclosed in my application for United States Letter Patent filed:

- ☒ concurrently herewith  
☐ on \_\_\_\_\_ and assigned Serial No. \_\_\_\_\_; and

I hereby authorize and request any attorney of Vidas, Arrett & Steinkraus, P.A., Suite 2000,  
6109 Blue Circle Drive, Minnetonka, MN 55343-9131, to insert the filing date and application number of said  
application above when known.

WHEREAS, SCIMED LIFE SYSTEMS, INC. ("Assignee"), a corporation organized and  
existing under and by virtue of the laws of the State of MINNESOTA, and having its principal place of  
business at One SciMed Place, Maple Grove, MN 55311-1566, is desirous of acquiring the entire right, title,  
and interest in and to said invention, to said application for any and all countries, to any and all Letters Patent,  
and to any and all Design Letters Patent of any and all countries which may be granted thereon;

NOW, THEREFORE, Be It Known that for good and valuable consideration, the receipt of all  
of which is hereby acknowledged, I(we) hereby sell, assign, and transfer unto Assignee, its successors, and  
assigns, the entire right, title and interest, legal and equitable, in and to said invention, to said application for  
any and all countries, to any and all Letters Patent, and to any and all Design Letters Patent of any and all  
countries which may be granted thereon; and the Commissioner of Patents and Trademarks is hereby authorized  
and requested to issue all Letters Patent and all Design Letters Patent which may be granted to said invention to  
Assignee.

Dated: Nov 18, 98

First Inventor's Signature:  
First Inventor's Name:

Brian J. Brown  
Brian J. Brown

Dated: Nov 18, 98

Second Inventor's Signature:  
Second Inventor's Name:

Michael Davis  
Michael Davis

Dated: Nov 18, 98

Third Inventor's Signature:  
Third Inventor's Name:

David Friesen  
David Friesen

Dated: Nov. 19, 98

Fourth Inventor's Signature:  
Fourth Inventor's Name:

Timothy J. Ley  
Timothy J. Ley

Dated: Nov 18, 1998

Fourth Inventor's Signature:  
Fourth Inventor's Name:

Sean P. Skubitz  
Sean P. Skubitz

\*\*\*\*\*

[k:\Limited Authorizations(1)]